

### **REMARKS/ARGUMENTS**

Applicants would like to thank the Examiner for the careful consideration given the present application.

Claim 1 was rejected under 35 U.S.C. 102(e) as being anticipated by Kishimoto et al. (U.S. patent number 7,016,703). Claim 1 recites in part, "wherein a front face and a back face of one of the first casing and the second casing are formed with respective sound emission holes that are aligned with each other...wherein a front face of the other of the first casing and the second casing is formed with a through hole that is aligned with the sound emission holes in a state that the first casing and the second casing are folded together."

As seen in Fig. 1, Kishimoto teaches an upper main body 107 having a display screen 100 and a speaker 101 (6:63-67). A lower main body 108 has a microphone 104, an operation button 103 and a hole 102 that penetrates the lower main body (6:63-67, 9:35-36). As seen in Fig. 3, the display screen 100 includes image display region 110. The image display region 110 is arranged to overlap the hole 102 when the telephone is in the folded state, which allows a user to check information displayed in the image display region 110 without unfolding the telephone (9:20-30).

Claim 1 requires a front face and a back face of a casing to be formed with aligned sound emission holes. The only hole on a back face of a casing taught by Kishimoto is hole 102 (see Fig. 2). Kishimoto's hole 102 is for viewing the display screen 100, which does teach or suggest aligned sound emission holes, as required by claim 1. Kishimoto teaches the speaker 101 located on the front face of the upper main body 107. However, Kishimoto does not teach or suggest any hole on the back face of the upper main body.

Claim 1 further requires a through hole on the other casing that is aligned with the sound emission holes in a state that the first casing and the second casing are folded together. Kishimoto's hole 102 is aligned with the display screen 100 when the telephone is folded, so that a user can check information displayed on the screen 100. Kishimoto does not teach or suggest that its hole 102 is aligned with any hole on the upper main body 107 when the telephone is folded. Furthermore, claim 1 requires three holes on three faces, which are aligned when the casings are folded together. Kishimoto teaches only two holes on two faces.

For the reasons discussed above, Kishimoto fails to teach or suggest all of the limitations of claim 1. Therefore, claim 1 is allowable over Kishimoto.

Claim 3 was rejected under 35 U.S.C. 102(e) as being anticipated by Kishimoto. Claim 3 depends from claim 1 and is allowable over Kishimoto for at least the reasons discussed above.

Claim 4 was rejected under 35 U.S.C. 102(e) as being anticipated by Kishimoto. Claim 4 depends from claim 3 and is allowable over Kishimoto for at least the reasons discussed above. Claim 4 recites in part, "wherein the sound emission holes and the display are located on the same one of the first casing and the second casing." Kishimoto's upper main body 107 includes the display 100. As discussed above with respect to claim 1, Kishimoto does not teach or suggest any hole on the back face of the upper main body 107. Therefore, Kishimoto does not teach or suggest the sound emission holes and the display are located on the same one of the first casing and the second casing, as required by claim 4.

Claim 5 was rejected under 35 U.S.C. 102(e) as being anticipated by Kishimoto. Claim 5 depends from claim 3 and is allowable over Kishimoto for at least the reasons discussed above with respect to claim 3.

In rejecting claims 6 and 8, the Examiner refers to figures 1 and 2 and identifies the following elements: a first casing 202, a second casing 204, a front face 205 and a back face 207. Figures 1 and 2 of Kishimoto do not include any elements labeled 202, 204, 205 or 207. Figure 15 includes a microphone 204, antenna 205 and upper main body 207, but no element 202 is identified. The elements cited by the Examiner appear to be mistakenly copied from the prior Office action of April 14, 2006.

Claim 6 was rejected under 35 U.S.C. 102(e) as being anticipated by Kishimoto. Claim 6 recites in part, "a display which is located on the first casing...wherein a front face and a back face of the first casing are formed with respective sound emission holes that are aligned with each other and are located nearer to the bearing portion than the display." Kishimoto's upper main body 107 includes the display 100. As discussed above with respect to claim 1, Kishimoto does not teach or suggest any hole on the back face of the upper main body 107. Therefore, Kishimoto does not teach or suggest a first casing, having a display, and having a back face that is formed with a sound emission hole, as required by claim 6. Furthermore, Kishimoto's upper main body 107 does not teach or suggest sound emission holes that are located nearer to the bearing portion than the display. Kishimoto's upper main body 107 includes the speaker 101, which is located above the display 100, and not nearer to hinge 106 than the display 100. Accordingly, claim 6 is allowable over Kishimoto.

Claim 7 was rejected under 35 U.S.C. 102(e) as being anticipated by Kishimoto. Claim 7 depends from claim 6 and is allowable over Kishimoto for at least the reasons discussed above with respect to claim 6.

Claim 8 was rejected under 35 U.S.C. 102(e) as being anticipated by Kishimoto. Claim 8 recites in part, "a keypad located on the second casing...wherein a front face and a back face of

the second casing are formed with respective sound emission holes that are aligned with each other." The only hole on a back face of a casing taught by Kishimoto is hole 102 (see Fig. 2). Kishimoto's hole 102 is for viewing the display screen 100, which does teach or suggest aligned sound emission holes, as required by claim 8. Accordingly, claim 8 is allowable over Kishimoto.

Claim 9 was rejected under 35 U.S.C. 102(e) as being anticipated by Kishimoto. Claim 9 depends from claim 8 and is allowable over Kishimoto for at least the reasons discussed above with respect to claim 8.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 37122.

Respectfully submitted,

PEARNE & GORDON LLP

By:   
Brad C. Spencer, Reg. No. 57076

1801 East 9th Street  
Suite 1200  
Cleveland, Ohio 44114-3108  
(216) 579-1700

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